

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 5:05CR056
Plaintiff(s),)	
)	
)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
DANTE JONES,)	
)	
Defendant(s).)	ORDER
)	

On March 18, 2005, the Defendant, Dante Jones, entered a plea of guilty before this Court to count one of an indictment charging him in violation of 21 §U.S.C. 846 Conspiracy to Possess With Intent to Distribute and To Distribute Cocaine and Cocaine Base; Possession With Intent to Distribute Cocaine and Cocaine Base. Count two of the indictment was dismissed upon motion by the Government.

The Defendant was sentenced before this Court on June 13, 2005 to the custody of the Bureau of Prisons for a term of 240 months followed by 10 years of supervised release with conditions.

On October 5, 2006, the Government filed a Motion for Reduction of Sentence Pursuant to Rule 35 of the Federal Rules of Criminal Procedure (ECF DKT #44).

In its memorandum, the Government restates the terms of the plea agreement

which calls for a 3 level reduction for acceptance of responsibility and a 4 level reduction for substantial assistance. The plea agreement provided, however, that the reduction for substantial assistance would not take place until the completion of the Defendant's cooperation (Para 17 - Jones Plea Agreement).

As a result of the Defendant's cooperation with the Government, an indictment was returned against individuals charged with Conspiracy to Possess and Distribute 5 Kilograms or More of Cocaine. Over 50 kilograms of cocaine and in excess of one million dollars (\$1,000,000) was seized.

The Government motions the Court to grant its request for a four (4) level reduction for Defendant's substantial assistance as contemplated in the plea agreement. If the Government's motion is granted, the Defendant's adjusted offense level for the Guidelines would be 29 with a Criminal History Category II, resulting in an advisory range of 97-121 months. On October 31, 2006, counsel for defendant, Michael Boske, notified the Court via telephone that the defense has no objections to the Government's motion and makes no recommendation to the Court as to what the amended sentence should be.

The Court has considered the Defendant's substantial assistance to the Government, in addition to the Guideline range and § 3553(a) factors reviewed and discussed in the Defendant's original sentence. The Court incorporates those comments and findings in this Amended Judgment. The Court grants the Government's Motion for a Reduction in Sentence.

The Court finds that during the prosecution of the Dede Drug Trafficking Organization (DTO), two cooperating individuals advised the Government that after Defendant Jone's arrest, prior to his federal indictment and while he was on bond, Jones warned at least two members of the Dede DTO that law enforcement was

targeting members of the Dede DTO and they should “lay low.”

The Court further finds that Defendant and his wife received thousands of dollars from the Dede DTO for attorney fees and support in an attempt to keep Defendant from cooperating. Defendant never disclosed this information to law enforcement.

It is the Amended Judgment of this Court that the Defendant, Dante Jones, is committed to the Bureau of Prisons for a term of 121 months, with credit for time already served in this matter. An Amended Judgment and Commitment shall issue.

IT IS SO ORDERED.

s/Christopher A. Boyko
Christopher A. Boyko
United States District Judge

DATE: November 2, 2006